

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,) Cr. No. 05-00252-001
)
vs.)
)
DAWE GLOVER,) DECLARATION OF SAMUEL P. KING, JR.;
) EXHIBIT A
Defendant.)
_____)

DECLARATION OF SAMUEL P. KING, JR.

I, SAMUEL P. KING, JR., declare and say:

At the sentencing in this case, this Court stated that Defendant's intoxication may have released an underlying predilection or arousal in Defendant with respect to children and child pornography. Defendant seeks to clarify this issue with the Court through Dr. Tyler's attached letter (Exhibit A) and correct any misconception this Court may have gotten from Dr. Tyler's previous letter describing Defendant's successful completion of sex offender treatment with Dr. Tyler.

As Dr. Tyler's letter shows, when Defendant originally underwent sexual assessment in this case, no sexual arousal for children was indicated and Defendant did not show any characteristics of a "child molester." The assessment also showed, through the penile plethysmograph and other tests, that Defendant did not have any "arousal" with respect to children and that Defendant was "unremarkable for any defiant sexual thoughts towards children." This is why I argued at sentencing that Defendant's love for children, as demonstrated over the many years he sheperded many children through the theater arts, was twisted into his downloading behavior during the period when he was experiencing great personal difficulties and attempting to cover them up with alcohol and other drugs.

Of course, this Court is aware and mentioned at sentencing that there is no evidence whatsoever that Defendant ever molested children or engaged in any dealing in pornography (as many defendants who appear before this case in these kinds of cases have done). Based on this clarification of Dr. Tyler's assessment in this case and correction of any misapprehension this Court may have had regarding "arousal" in Defendant based on this Court's statement at sentencing regarding "arousal," Defendant respectfully and humbly requests that this Court take this correction into consideration, set aside the previous judgment in this case, and consider a lower period of incarceration in this case.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

DATED: Honolulu, Hawaii, July 12, 2007.



SAMUEL P. KING, JR.
Attorney for Defendant